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RESOLUTION NO. R2025 – 4

A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL, APPROVING A MASTER PLAN (PETITION NUMBER 2024-0001-MP) FOR CERTAIN PROPERTY KNOWN AS AXIS 2 (ALSO KNOWN AS WELLINGTON GREEN 10-ACRE PARK TRACT), TOTALING 10 ACRES, MORE OR LESS; LOCATED APPROXIMATELY A QUARTER MILE SOUTH OF FOREST HILL BOULEVARD AND WELLINGTON GREEN DRIVE, ON THE WEST SIDE OF WELLINGTON GREEN DRIVE AT 2175 WELLINGTON GREEN DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ALLOW DEVELOPMENT OF THE AXIS 2 PROJECT, A RESIDENTIAL DEVELOPMENT WITH 220 MULTI-FAMILY RESIDENTIAL UNITS, AND TO ADOPT THE AXIS 2 PROJECT STANDARDS MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Wellington Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations (LDR) are authorized and empowered to consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, the Wellington Future Land Use Map (FLUM) designation for the subject property (Axis 2/Wellington Green 10-Acre Park Tract) was recently changed from Community Facility to Residential H (Ordinance No. 2025-2); and

WHEREAS, the Wellington Zoning Map designation for the subject property (Axis 2/Wellington Green 10-Acre Park Tract) was recently changed from Community Facility to Planned Unit Development (PUD) (Ordinance No. 2025-3); and

WHEREAS, the Wellington Green 10-Acre Park Tract will be designated as a residential PUD with 220 multi-family residential units; and

WHEREAS, the Axis 2 Master Plan (Petition 2024-0001-MP) was reviewed and certified by the Development Review Manager; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on January 15, 2025, recommended approval of the Axis 2 Master Plan with a 7 to 0 vote; and

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, Wellington staff, and the evidence and testimony presented by the Petitioner (WG 10Park LLC) and comments from the public into consideration for the proposed Master Plan; and

WHEREAS, Wellington’s Council has made the following findings of fact:

- 49 1. The Master Plan request is consistent with the purposes, goals, objectives, and
50 policies of the Comprehensive Plan;
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52 2. The subject request is consistent with the stated purposes and intent of the
53 Land Development Regulations;
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55 3. The requested Master Plan is consistent with the surrounding land uses and
56 zoning districts;
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58 4. Approval of subject request would result in a logical and orderly development
59 pattern; and
60
61 5. The subject request is consistent with the applicable Planned Unit
62 Development (PUD) regulations.
63

64 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON, FLORIDA,**
65 **THAT:**
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67 **SECTION 1.** The Axis 2 Master Plan is hereby approved for the subject property as
68 legally described in Exhibit A, to allow development of a residential PUD project with 220
69 multi-family residential units, subject to the following conditions of approval:
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- 71 1. Development of the subject property shall be limited to the use, access, acreage,
72 site design and number of units, site amenities, and landscape buffers as approved
73 on the Master Plan (Exhibit B), in the Project Standards Manual (Exhibit C), on the
74 Regulating and Circulation Plan (Exhibits D), and in the conditions of approval that
75 may amend the plans (Exhibits B, C and D). The final plans consistent with any
76 Council-approved changes and conditions of approval imposed by the Council shall
77 be submitted for final processing, if applicable. Amendments to the approved plans
78 shall require a master plan amendment approved by Wellington's Council (Council)
79 and as required by the LDR. Minor modifications to the landscape plan to adjust for
80 location, material changes due to industry shortage, etc., may be approved with an
81 administrative minor master plan amendment. (PLANNING)
82
83 2. Exhibit C is the Axis 2 Project Standards Manual (PSM) with the project development
84 standards including details, specifications, architectural details/elements,
85 landscape features/elements, setbacks, building/lot coverage, building height,
86 parking, etc., which shall be the governing document along with any other
87 plans/documents approved for this project. Any project development standards not
88 specifically outlined and/or requested/approved within the PSM shall be per the
89 LDR as determined by Wellington for the specific standard and/or use/structure.
90 Architectural Review Board (ARB) and site plan approvals for this project shall be
91 supplemented within the PSM by the Village of Wellington (Wellington).
92 Amendments to the approved PSM shall require Council approval as a master plan
93 amendment. (PLANNING)
94
95 3. The Axis 2 project shall be developed consistent with the approved master plan and
96 based on the use and density limitations below:

USE	LIMITATIONS
Multi-family Residential	220 Dwelling Units (DUs) Total Density of 22 DU/AC
Private Recreation	2 AC Minimum
Open Space	4 AC Minimum

(PLANNING)

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4. No building permits shall be issued after December 31, 2029, unless a time extension has been approved, extended by Palm Beach County Traffic Division through an equivalency letter, or an updated Traffic Study approval consistent with this master plan approval. (TRAFFIC)
5. The County traffic concurrency approval is subject to the Project Aggregation Rules as set forth in the Traffic Performance Standards Ordinance. (TRAFFIC)
6. The developer is required to provide 3.37 acres for public recreation and 0.673 acres for civic dedication (4.043 AC Total Dedication Required). The conveyance of 7.28 acres of Wetlands Parcels within the Wellington Green project to Wellington will satisfy the 4.043-acre dedication requirement, per the BreFrank Settlement Agreement. (PLANNING)
7. All traffic control/regulatory/street signs and posts shall be a decorative design, and driveways and aprons shall be decorative type pavers, within the subject project. (PLANNING)
8. The developer shall construct all improvements as shown on the site and circulation plans. (TRAFFIC/PLANNING)
9. The petitioner/developer (WG 10Park LLC/Axis 2) shall construct a sidewalk (including crosswalks) along Wellington Green Drive at the location(s) as shown on the Circulation Plan (Exhibit D), in compliance with the level of service standards of the Mobility Element of Wellington’s Comprehensive Plan.
 - a. The sidewalk shall be constructed from the subject property to the existing crosswalk and sidewalk at Forest Hill Boulevard and Wellington Green Drive, on the south side of Forest Hill Boulevard, along Wellington Green Drive.
 - b. The sidewalk shall be a minimum five (5)-foot wide, except locations with limited space may have a varied width as approved by Wellington (reviewed/approved by the DM and Wellington Engineer).
 - c. The sidewalk connection(s) shall be constructed/completed prior to the issuance of the first Certificate of Occupancy (CO) for any residential building within the subject project.
 - d. Construction costs associated with the sidewalk as required above will be credited against the required Wellington Multi-modal Impact Fees due at the time of building permit issuance for this project. The developer may also

136 construct additional sidewalk/crosswalk connection(s) within the overall
137 Wellington Green project, as approved by the Wellington Planning Department.
138 The additional sidewalk construction costs may also be credited against the
139 impact fees as noted above. However, any sidewalk construction costs greater
140 than the required impact fees are solely the developer's responsibility. The
141 developer shall provide a certified construction cost (reviewed/approved by the
142 DM and Wellington Engineer) for the sidewalk/crosswalks. The
143 approved/certified construction cost will be used for the impact fee credit. The
144 developer shall be required to provide final construction costs upon completion
145 of the sidewalk construction for final credit.

146 e. If at such time as the Wellington Multi-modal Impact Fees are due and the
147 sidewalk/crosswalk construction has not been completed, the developer shall
148 post surety in favor of Wellington in the form of a letter of credit or cash in
149 escrow. The developer shall post surety prior to issuance of the first building
150 permit for any residential building. The posted surety shall then be partially
151 released or distributed back to the developer, as applicable, at a pro-rata rate of
152 completion of the sidewalk/crosswalk improvements by providing an
153 engineer's affidavit of substantial completion accepted by the Wellington
154 Engineer. Wellington shall not release or distribute back to the developer any
155 funds that exceed the Wellington Multi-modal Impact Fees in the event the
156 construction costs exceed the required impact fees. (PLANNING)

157
158 10. The subject property shall be re-platted per the approved master plan and site plan,
159 and to remove the dedication of the 10-acre park site to Wellington. The plat shall be
160 approved, and recorded, before the issuance of any building permits.
161 (ENGINEERING/PLANNING/LEGAL)

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163 11. No encroachments shall be permitted in any utility or drainage easements. No
164 landscaping shall be installed in water or sewer easements or areas obstructing
165 the line of sight for pedestrians or vehicles. (ENGINEERING)

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167 12. A Land Development Permit (LDP), issued by Wellington's Engineering Department,
168 is required before any earthwork or construction takes place, and shall meet all
169 applicable requirements of the LDR, as well as State and Federal regulations and
170 guidelines must be applied for, approved and issued before any construction
171 activities. The permit plans shall include construction details for all infrastructure
172 components including paving, grading, drainage, water, sewer, landscape, lighting,
173 and off-site improvements. The LDP must be closed out before any Temporary
174 Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are issued for any
175 buildings or structures. If the project is phased, a separate LDP will be required for
176 each phase of the project. Each phased LDP must be closed out before any
177 Temporary Certificates of Occupancy (TCO)/Certificates of Occupancy (CO) are
178 issued for any buildings or structures within that phase. (ENGINEERING)

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180 13. No guarantee of available capacity is expressed or implied by the issuance of a
181 Capacity Availability Letter, until such time that the Developer has reserved
182 capacity through payment of Water, Sewer, and Fire Capacity Fees. (UTILITIES)

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14. A Developer's Agreement will be required by the Utility Department to reserve water and sewer capacity for the project. Payment of capacity fees per Village Resolution No. R2018-35 shall be required to reserve capacity. The Developer's agreement must be executed and approved by the Village/Wellington Council before the execution of the Palm Beach County Health Water and Sewer Department permits by the Village Utility Director. The Developer's Agreement conditions should be coordinated during the Site Plan Approval process. (UTILITIES)
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15. Water, Sewer, and Fire Line Capacity fees are based on the "Wellington Water and Wastewater Rates and Charges for the current Fiscal Year". Applicant is encouraged to review capacity fees. These fees are due before the approval of the Developer's agreement by the Village Council. (UTILITIES)
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16. The Developer is responsible for the funding and construction of all improvements/upgrades that the Utility determines are necessary to the existing lift stations, water distribution systems, sanitary systems, and force main systems because of impacts to existing systems by the proposed project development plan. (UTILITIES)
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17. The Developer must apply for and obtain a Utility Major permit before the development of the proposed improvements. (UTILITIES)
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18. All water mains and sewer mains are required to be public. Water and sewer infrastructure must be located in the right-of-way or a dedicated exclusive water main or sewer easement. Easement widths shall comply with the Village of Wellington Water and Wastewater Systems Construction and Standards Manual (15-foot minimum). All Utility Easements shall provide for unhindered access to all facilities and mains. (UTILITIES)
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19. A covered school bus shelter (minimum 10' X 15') shall be provided for within the subject project, with bicycle racks for a minimum capacity of four (4), benches/seating for a minimum capacity of four (4), trash receptacles, and continuous paved access shall be provided. Before the issuance of the first Certificate of Occupancy for any residential building, the covered school bus shelter shall be constructed with consistent colors, materials, and roof treatment as the overall project. (PLANNING)
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20. To address the school capacity deficiency generated by the proposed development at the District high school level, the owner/developer shall contribute a total of \$69,725.00 to the School District of Palm Beach County before the issuance of the first residential building permit. (PBC SCHOOL DISTRICT)
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21. Benches/seating, trash receptacles/bins, and bicycle rack shall be provided within the subject project, with the final number and locations as required with the site plan approval. Trash bins should be provided at seating location(s) on the plans.

- 230 Shade structures and/or landscaping (trees/palms, shrubs, etc.) shall be provided
231 for the seating areas throughout the site. (PLANNING)
232
- 233 22. Foundation planting areas (including trees/palms) shall be provided along the
234 street/corner side of all buildings/structures, which is in addition to the planting
235 areas required along the front of the building. (PLANNING)
236
- 237 23. No continuous hedge row in the front plane of the buildings shall exceed a
238 maximum height of 36 inches. (PLANNING)
239
- 240 24. Shade/canopy street trees (min. 16 ft. overall height and 5 ft. clear trunk), and
241 pedestrian street lights shall be provided along both sides of the roads, streets,
242 access way, etc., within the subject project. The pedestrian street light poles,
243 regulatory traffic/street signs and poles, and site amenities shall be decorative in
244 design, and the design shall be submitted for ARB approval before permitting.
245 (PLANNING)
246
- 247 25. The Developer shall pay into the Wellington Tree Fund for any landscaping
248 (including street trees) not provided per the landscape standards and/or per
249 deviations as specifically requested/approved as shown on the plans/PSM. The
250 payment shall be \$600 per tree or the material cost for other landscaping if a
251 maximum of 25% will not be provided, or the cost the Developer would pay to
252 provide the landscaping on-site if more than 25% will not be provided. The payment
253 amount, if more than 25%, shall be per a landscape architect-certified cost
254 estimate for the landscaping as approved by the DM. Payment in lieu of providing
255 the landscaping shall be made to Wellington before issuance of the first building
256 permit for a residential building within the subject project. (PLANNING)
257
- 258 26. The perimeter landscape buffers within the subject project shall be shown as an
259 easement or separate tract on the plans and plat. The landscape buffer along the
260 east property line shall be installed prior to the issuance of the first Certificate of
261 Occupancy for any building within the project. Landscape buffer shade canopy
262 trees shall be 25 feet on center and hedge height shall be a minimum of three (3)
263 feet in height at installation. (PLANNING)
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- 265 27. The east perimeter landscape buffer shall include multi-tiered landscaping with a
266 continuous hedge, installed, and maintained at three (3) feet, shrubs/groundcover
267 on both sides of the hedge at intermittent intervals along with the required shade
268 trees and other landscaping per requirements of the LDR. (PLANNING)
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- 270 28. The developer/owner shall provide a certified cost estimate (by FL. Registered
271 Landscape Architect or Engineer) for the project's perimeter landscape buffer and
272 interior landscaping materials, installation, irrigation, labor, etc. Surety/bond(s) in
273 the form acceptable to Wellington in the amount of 110% of the estimate shall be
274 posted for the project's perimeter landscape buffer and interior landscaping, in
275 addition to the other bonds required for site improvements per the LDP, with the
276 Engineering Department. Landscape permit(s) shall also be required before
277 installation. (PLANNING)

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- 29. The landscaping within this Planned Development District shall exceed the minimum landscape requirements by 30%, or as approved in the PSM. (PLANNING)
- 30. The common areas, landscaping, site amenities, etc., shall be completed in conjunction with the adjacent building(s) and before the issuance of any Certificate of Occupancy/Certificate of Completion of the adjacent building(s) or improvement(s). (PLANNING)
- 31. Electric vehicle (EV) charging stations (Level 2 or Direct-current fast charging) shall be provided throughout the project within the common parking areas, clubhouse, recreation areas, etc., as these improvements benefit the subject project density. A minimum of 12 EV charging connectors/ports shall be provided for the charging stations within this project. Additionally, the residential units with attached garages and/or separate parking garages (attached/freestanding) shall be EV-ready (properly wired) for future Electric Vehicle Supply Equipment (EVSE) installation when required by the end users with an EV vehicle. (PLANNING)
- 32. The developer shall ensure the project is developed to be consistent with green certification standards found within the Florida Green Building Coalition, the US Green Building Council Leadership in Energy and Environmental Design (LEED) manual, or other acceptable environmental, and building standards as determined by Wellington's Development Review Manager for the project during the building permit development approval/inspection process. Documentation indicating which green building standards were met shall be provided six (6) months after the issuance of CO for the buildings. (PLANNING)
- 33. All above-ground and wall-mounted utility/transformer/meter boxes/panels, mechanical equipment, valves, etc., shall be located on-site with required screening on a minimum of three (3) sides that provide required screening while maintaining the required three (3) feet clearance and height to meet or exceed equipment being screened. The screen opening shall be away from public view (including adjacent property) and/or additional shrubs will be required at inspection. The screening shall occur in a manner consistent with the color, character, and architectural style of the principal structure and may incorporate landscaping as an element of screening. (PLANNING)
- 34. The Developer shall take measures to ensure that during site development dust/debris particles from the development do not become a nuisance to the neighboring properties. (PLANNING)
- 35. All gates shall be designed and approved for emergency vehicle access with universal remote approved by all emergency agencies, including but not limited to Palm Beach County Fire and the Palm Beach County Sheriff. Additionally, all gate codes and access shall be granted to Wellington for Code Compliance and other emergency purposes. (PLANNING/ENGINEERING)

325 36. Analysis (on a per building basis) demonstrating the provided ADA handicap
326 parking spaces and van parking spaces complying with FBC 8th - Accessibility
327 Table 208.2 & Section 208.2.4 shall be submitted for review separately for each
328 facility at the time of building permit. (BUILDING)

329 **SECTION 2.** This Resolution shall become effective upon the effective date of the
330 companion Comprehensive Plan Future Land Use Map Amendment (Ordinance No. 2025-
331 2).

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333 **PASSED AND ADOPTED** this _____ day of _____, 2024.

334
335 **WELLINGTON**

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338 BY: _____
339 Michael Napoleone, Mayor

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342 **ATTEST:**

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345 BY: _____
346 Chevelle D. Hall, MMC, Village Clerk

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350 **APPROVED AS TO FORM AND**
351 **LEGAL SUFFICIENCY**

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354 BY: _____
355 Laurie Cohen, Village Attorney